

Minutes of a Regular Meeting of the City Council.

Austin, Tex. August 19, 1895.

Hon. Henry A. Linn, president of the Board of Aldermen presiding.

Roll call.

Present - Aldermen Fischer, Glass, Glascock, Gaeth, Haynes, Hume, Linn, Nitschke, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Tobin, Townsend, Warmoth - 17.

Absent - Aldermen Anderson, Asmann, Jackson, Lawless Taylor - 5.

Minutes of the meeting of the city council held August 5, 1895 were adopted as printed.

Petitions, Memorials, Etc.

^{Was received} A petition from the board of regents of the young Ladies' Church Institute requesting the city council to release from city taxation lots 1 to 10 and 23 to 32, block 10, out lot 15, division D, Austin, held by Rev G. H. Kingsolving, bishop of the diocese of Texas in trust for the use of the Protestant Episcopal Church in said diocese in conducting an institution for the education of young ladies.

The petitioners state that they believe that said property is, under the law, exempt from taxation. The petition was referred to the committee on claims and accounts.

Alderman Asmann entered the council chamber and answered to his name.

Alderman Haynes moved that Mr Geo F. Pendexter, city attorney, be granted leave of absence for ten days, and the motion prevailed.

By Alderman Roberdeau a petition from residents and property owners of blocks 15, 16, 17 and 18, division E, requesting that the city water pipe be laid on Eighteenth street instead of Seventeenth street to on the extension of the main from Rio Grande street. The petition was endorsed "Approved" by the Water and Light Commission.

The petition was granted.

Reports of Committees.

Except W. & L. Report Alderman Tobin, for the Water and Light Commission, as to sprinkling mission, presented the following:

Austin, Tex. Aug 19, 1895.

W. H. Tobin, Chairman Water and Light Commission
Dear Sir:- Deeming it to the best interests of the whole city to have the streets and especially the main thoroughfares, sprinkled, I would recommend that water be furnished free for sprinkling carts, and that any one who desires water for such purpose must designate the particular streets

and blocks to be sprinkled by him, and that he shall show that he has made satisfactory arrangements with citizens living on said streets and blocks to sprinkle same.

This recommendation to interfere in no way with the contract with Messrs Weed & Rosegreen.

Respectfully Submitted,

Jno W. Maddox, Superintendent.

The within communication was read at a meeting of the Water and Light Commission held on August 19, 1895 and was referred to the city council, with the recommendation that the city council furnish the water for sprinkling as suggested by the superintendent.

W. J. Oliphant,

Secretary Water and Light Commission.

The recommendations of the Water and Light Commission were adopted.

Alderman Tobin, for the water and light commission presented the following:

Austin, Texas, Aug 16, 1895:

To the Mayor and City Council of

the City of Austin:

W & L. Comm. Plans
+c about reservoir. Gentlemen. Your water and light commission, in accordance with instructions, have perfected plans and advertised for bids for building a reservoir, said bids to be received on the 13th day of September.

Deeming it important to ascertain if possible by the time the bids are to be received, ^{for building the reservoir} the cost of the reservoir site, so that the cost of the site and the cost of the reservoir could be determined at the same time, we have obtained from Mr R. B. Tinnin, the owner of the land on which it is desired to locate the reservoir, a proposition containing four different proposals, which is herewith attached.

We your committee, would respectfully recommend ^{that} the fourth proposition of Mr Tinnin be accepted, and that the city attorney be directed to draw up the necessary agreement and that the finance committee be authorized and directed to select a commissioner to represent the city in the arbitration to determine,

First. What price the city shall pay for the whole tract of land.

Second. What price the city shall pay for the 24 1/4 acres.

Third. What price the city shall pay for the 25 or 30 acres, in the event the city council shall determine to locate the reservoir on this site.

Respectfully Submitted

Wm H. Tobin

Francis Fischer, J. P. Schneider
Water and Light Commission.

Proposition of R. S.
Tinnin. about
Reservoir site.

Austin, Texas, Aug 16, 1895

Hon. John McDonald, Mayor of Austin:

Dear Sir - Replying to your inquiries, I submit to the city of Austin the following propositions:

First - I will take for the whole of what is known as the Brackenridge tract, on which it is desired to locate the distributing reservoir of the city of Austin, the sum of thirty thousand dollars (\$30,000.00)

Second - I will take for the 24 acres of said tract required for the reservoir site and the entire water shed the sum of twenty-five thousand dollars (\$25,000.00)

Third - I will take for the 25 or 30 acres required for the reservoir site the sum of fifteen thousand dollars (\$15,000.)

Fourth - If the above prices are deemed unreasonable I am willing to leave the price to be paid by the city to arbitration, the city to select one arbitrator, I to select one and the two so selected to select the third.

Very Respectfully

R. S. Tinnin.

Alderman Shelley moved to lay the whole matter on the table subject to call and the motion prevailed.

Alderman Goeth, for the committee on ordinances asked for further time in which to prepare reports on several matters recently referred to the committee. Granted.

Alderman Platt, for the cemetery committee, to whom was referred a petition from the "Congregation Beth Israel" requesting permission to erect a fence around a one acre tract of land purchased by them from the Cemetery association, and lying just east of a two and one-half acre tract owned by the city, also for permission to subdivide said acre into blocks and lay out streets and walks as they may deem proper, submitted a report thereon which states that:

"We have carefully considered the same and failed to discover any reason why the city should object or withhold his consent to the petition. We would therefore respectfully recommend that the petition be granted as prayed for." The report was adopted.

By Alderman Tobins, for the water and light Commission presented a statement from the superintendent of the water and light system showing cost of completing the balance laying of pipe, including reservoir pipe.

Also the balances appropriated to pay approved accounts, made by the board of public works.

A recapitulation of this statement shows:

Congregation
Beth Israel.
Report on petition
. as to fence

W. L. Sept
reports in
reference to
reservoir, balance
seen contracts.

Proceeds of sale of the \$200,000.00 bonds	\$202,282.00
Cost of 25 miles of 6 inch pipe - \$75,567.00	
Cost of reservoir pipe 29945.50 — \$105,512.50	
Appropriation for approved balances on contract 49,680.54	
Approved balance due Wingfield Bras 1977.36	51 ³⁶
Approved amount due Norwich	
Belt Mfg Company 2293.48 — 53,951.88	159,473.88
Balance	\$42,808.12

The report was received and ordered filed.

Alderman Anderson entered the council and answered to his name.

Bonds. Redeemed Alderman Goeth, for the committee on Finance made a counted & burned verbal report in effect that in accordance with the provisions of a resolution adopted by the city council of the city of Austin on May 6, 1895, 23 bonds of the city of Austin that were issued January 1st 1875, of the denomination of \$500.00 had been duly redeemed. He then presented the said bonds and moved that a special committee of three be appointed to examine, count, make a written record of their numbers and burn them in the presence of the city council. The motion prevailed and the chair appointed Aldermen Fischer, Roberdean, and Glascock as the committee.

On motion of Alderman Assmann the council took a recess of 10 minutes.

After expiration of recess Alderman Lawless entered the council chamber and answered to his name.

Alderman Fischer then presented the following report of the destruction of the bonds:

#	Dated	Amount.
167	January 1 1875	\$500.00
168	January 1 1875	500.00
169	January 1 1875	500.00
124 to 136 inclusive	February 23 1875	6500.00
174 to 180 inclusive	January 1875	3500.00
Total		\$11500.00

We, your committee appointed to count and destroy the above bonds, beg leave to report that we have counted them as above stated and destroyed same.

Signed Francis Fischer
R. C. Roberdean
L. H. Glascock,

The report was adopted.

Unfinished Business.

Alderman Powell called up his motion made at the last regular meeting of the city council and spread upon.

pipe. on certain the minutes, to reconsider the vote by which an amendment to the report of the water and light commission, which recommends that 4-inch pipe be laid between First and Fourteenth Streets and Red River and West avenue, to substitute 6-inch pipe for 4 inch pipe, was adopted.

The motion was put and carried by the following vote:

Yea- Aldermen Anderson, Fischer, Glascock, Haynes, Nitschke, Powell, Redd, Roberdeau, Schneider, Shelley, Tobin, Warmoth - 12
Nays- Aldermen Assmann, Glass, Gaeth, Hume, Lawless, Linn, Platt, Townsend - 8

Alderman Powell then moved to adopt the report as originally presented to the city council and the motion prevailed by the following vote:

Yea- Aldermen Anderson, Fischer, Glass, Glascock, Haynes, Hume, Linn, Nitschke, Powell, Redd, Roberdeau, Schneider, Shelley, Tobin, Warmoth - 15
Nays- Aldermen Assmann, Gaeth, Lawless, Platt, Townsend.

Alderman Schneider moved that the superintendent of the Water and light system be instructed to order 4-inch pipe in such quantity as may be necessary.

Adopted by the following vote:

Yea- Aldermen Anderson, Assmann, Fischer, Glass, Glascock, Haynes, Linn, Nitschke, Powell, Redd, Schneider, Shelley, Tobin, Warmoth - 14
Nays- Aldermen Gaeth, Hume, Lawless, Platt, Roberdeau, Townsend - 6

Alderman Shelley was called to the chair.

Alderman Linn moved to reconsider the vote adopting the motion of Alderman Schneider. Carried
(Alderman Linn in the chair)

Alderman Tobin moved that the Superintendent of the water and light system be instructed to order 4-inch pipe under direction of the water and light commission in accordance with the report of said commission just adopted and the lines designated on the map.

Alderman Roberdeau moved that this matter be postponed until next regular meeting of the city council.
Lost by vote of 9 to 10.

Alderman Lawless was excused from further attendance on the session of the council.

The question returning to the motion of Alderman Tobin, it was adopted by the following vote:

Yea- Aldermen Anderson, Assmann, Fischer, Glass, Glascock, Haynes, Hume, Nitschke, Powell, Redd, Schneider, Shelley, Tobin, Warmoth - 14
Nays- Aldermen Gaeth, Linn, Platt, Roberdeau, Townsend - 5

Motion for City Atty to go to Washington to represent City in U. S. Ct

Alderman Glascock moved that the city defray the expenses of the city attorney in going to Washington and being admitted to practice in the United States supreme court, and that he be instructed to look after the case of the Penn Mutual Life Insurance company vs. the city, now pending in that court.

Alderman Glass moved to defer action on this matter until next regular meeting of the council. Carried.

The question of the election of a city auditor coming up, the following opinion was read:

Austin 10. 1890.

Hon. John M^c Donald, Mayor:

Dear Sir - The act of the last legislature providing for the appointment of a board to examine the finances of cities and towns has no application to the city of Austin, as by its terms it relates only to cities and towns, incorporated under the general laws of the state. See acts of 1890 page 41.

The city council has the right to create the office of auditor, the power to do so being especially conferred by subdivision 20, section 59 of the charter.

Very Respectfully

Geo F. Pendexter

City Attorney.

Alderman Nitschke moved to postpone the election of auditor until next regular meeting of the council

Carried by vote of 10 to 9.

Alderman Haynes moved that the fire committee be instructed to locate fire hydrants on the proposed extension of the pipe system. Carried.

Alderman Glascock moved that the council do now adjourn. Last - Year 7. May 12

By Alderman Haynes: A resolution instructing the city engineer to at once place a pipe of sufficient size to convey the water from the hydrant on Eleventh street, near the capitol gate, to the Avenue gutter, for the purpose of flushing the gutter in front of the court house and to avoid the washing and injury to said Eleventh street.

On motion it was referred to the Water and light commission.

\$1575 Int on Bonds By Alderman Gaeth - An ordinance appropriating the sum of \$1575 for the purpose of paying interest on bonds of the city of Austin issued prior to May 1, 1890, due July 1, 1895.

It was read the first time, and then a second and third time, under suspension of the rules and passed by the following vote:

Yrs. Aldermen Anderson, Assmann, Fischer, Glass, Glascock, Gaeth, Haynes, Hume, Linn, Nitschke, Platt, Powell, Redd, Roberson, Schneider, Shelley, Tobin,

Townsend, Warmoth - 19

Aldermen Platt and Haynes were excused from further attendance on the session of the council.

Alderman Redd moved that the council do now adjourn - Lost.

On for City Elec.
to attend fires.

By Alderman Schneider - An ordinance making it the duty of the city electrician to report at all fires and prescribing his duties at same. It was read and referred to the fire committee.

Alderman Glascock was excused from further attendance on the session of the city council.

\$2293.48 Norwich
Belt Mfg Co.

By Alderman Tobin - An ordinance appropriating the sum of \$2293.48 for the purpose of paying Norwich Belt Manufacturing Company for belts. It was read the first time and on motion referred to the committee on finance by a rising vote of 10 to 6.

\$5000 W + L System.
Expenses.

By Alderman Tobin - An ordinance appropriating the sum of \$5000 for the purpose of paying expenses of the water and light system of the city of Austin. It was read after which a motion was made to suspend the rules and place the ordinance on its second reading, which was lost by the following vote:

Yea - Aldermen Anderson, Asmann, Fischer, Glass,
Gauth, Linn, Nitschke, Powell, Redd, Roberdeau, Schneider
Shelley, Tobin, Townsend 14

Nay - Aldermen Hume and Warmoth - 2

On motion the council then adjourned.

Milton Morris,
City Clerk.